

FILED

MAY 6 2010

DENNIS P. IAVARONE, CLERK
US DISTRICT COURT, EDNC
BY TS DEP CLK

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**
LEWIS F. POWELL, JR. UNITED STATES COURTHOUSE ANNEX
1100 EAST MAIN STREET, SUITE 501
RICHMOND, VIRGINIA 23219-3517
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PATRICIA S. CONNOR
CLERK

TELEPHONE
(804) 916-2700

May 3, 2010

Dennis Iavarone, Clerk
U.S. District Court
Eastern District of North Carolina
Post Office Box 25670
Raleigh, NC 27611-5670

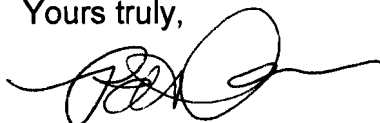
Re: **USA v. Smith**
5:09-cr-00196-D-1

Dear Mr. Iavarone:

The enclosed document was received by this Court on April 27, 2010, and is construed as a notice of appeal.

In accordance with Rule 4(d) of the Federal Rules of Appellate Procedure, the document has been date stamped and is being forwarded to your court for appropriate disposition.

Yours truly,



Patricia S. Connor

PSC:dlg
Enclosures

cc: Monterius R. Smith (w/ stamped 1st pages)
#51730-056
FCI - Bennettsville
P.O. Box 52020
Bennettsville, SC 29512